

DC-20-01121
Case No. _____

Christi Underwood

ALAN SEVADJIAN,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	A-14 JUDICIAL DISTRICT
	§	
TEXAS DEPARTMENT OF	§	
MOTOR VEHICLES,	§	
	§	
Defendants.	§	DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

ALAN SEVADJIAN, Plaintiff, files this Original Petition requesting the Court order TEXAS DEPARTMENT OF MOTOR VEHICLES, Defendant, to issue a Certificate of Title and a corrected Vehicle Identification Number (VIN) on a 1968 Corvette to Plaintiff and for cause of action shows:

DISCOVERY LEVEL

1. Plaintiff intends to conduct discovery under Level 2 of Texas Rule of Civil Procedure 190.3.

PARTIES

2. Plaintiff is an individual residing in Dallas County, Texas. Identification verification details are as follows: Drivers License: xxxxx730 and Social Security Number: xxx-xx-x076.

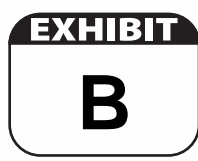
3. Defendant, TEXAS DEPARTMENT OF MOTOR VEHICLES (hereinafter referred to as "TxDMV") is a public agency and may be served with informal process by serving its representative, Mr. Rob Blech, Associate General Counsel, Office of General Counsel, 4000 Jackson Avenue, Austin, Texas 78731.

VENUE

4. Venue is proper in Dallas County, Texas, as all or part of Plaintiff's cause of action arose here and the vehicle subject of this suit is located in Dallas County.

JURISDICTION

5. Plaintiff seeks damages above the jurisdictional minimum of this Court.



DAMAGES

6. Plaintiff seeks monetary relief of \$100,000 or less and non-monetary relief. TRCP 47(c)(2).

FACTS

7. Chevrolet manufactures Corvette vehicles.

8. All Chevrolet Corvettes manufactured in St. Louis, Missouri, prior to 1981 are assigned an "S" as the seventh character of their VIN.

9. In or about 1968, Chevrolet manufactured and assembled a Corvette Vehicle, model number 19467, in St. Louis, Missouri. Said Vehicle was originally assigned VIN 194678S422741 (see Build Sticker attached as Exhibit "A" and incorporated by reference).

10. Omer J. Hanna owned the above referenced 1968 Corvette originally bearing VIN 194678S422741 (hereinafter referred to as the "Vehicle").

11. This action involves the incorrect assignment of VIN 194678S422741 to the above referenced Vehicle, originally manufactured as and assigned VIN 194678S422741, in Case No. 8466 in the County Court of Brown County, Texas.

12. In or about May 21, 2012, Omer J. Hanna (hereinafter referred to as "Hanna") filed an original petition in Brown County Court seeking an order from the court to issue a certificate of title in his name and to have a VIN assigned for the Vehicle (see Petition attached hereto as Exhibit "B" and incorporated by reference).

13. In Hanna's original petition, he requested that the VIN reflect the seventh character as a "5" instead of the correct character of "S."

14. Thus, when the Brown County Court issued its order in case number 8466, the order reflected the VIN that was incorrectly listed in Hanna's petition (see Corrected Order attached hereto as Exhibit "C" and incorporated by reference).

15. Subsequently, Defendant issued title bearing VIN 194678S422741 to Hanna (see Title attached hereto as Exhibit "D" and incorporated by reference).

16. Plaintiff, in this matter, purchased the Vehicle in or about May 9, 2018. Plaintiff seeks to correct the VIN on the Vehicle to correctly reflect the VIN it was assigned when it was originally manufactured.

DECLATORY RELIEF

17. Plaintiff seeks a declaration of the Court that title of the Vehicle is vested in Plaintiff and that the current and incorrectly assigned VIN be reassigned from VIN 1946785422741 to VIN 194678S422741.

PRAYER

18. WHEREFORE, Plaintiff requests that Defendant be cited to appear and answer, and that on final trial the Court declare that title of the Vehicle is vested in Plaintiff and that the current and incorrectly assigned VIN be reassigned from VIN 1946785422741 to VIN 194678S422741.

Respectfully Submitted,

HAHN LAW FIRM, P.C.

/s/ Matthew S. Hahn

Derrick J. Hahn

dhahn@hahnlawfirm.com

State Bar No. 24026920

Corey R. Herrick

crherrick@hahnlawfirm.com

State Bar No. 24059940

Matthew S. Hahn

mhahn@hahnlawfirm.com

State Bar No. 24104522

900 Jackson Street; Suite 180

Dallas, TX 75202

(214) 744-3200

(214) 744-3202 fax

ATTORNEYS FOR PLAINTIFF

BUILD STICKER

Delivered To:

Make: CHEVROLET

Vehicle
Identification
Number 194678S422741

Final
Assembly
Point ST. LOUIS, MISSOURI

Suggested Retail Price of this Vehicle:

Model: 19467 1968 CORVETTE CONVERT

4320 00

Suggested Retail Price for Options and
Accessories installed on this Vehicle:

G81	POSITRACT AXLE	46	35
L68	400HP TURBO-JET V8	305	50
M20	4-SPD TRANSMISSION	184	35
N11	OFFROAD SER EXHAUST	36	90
PT7	F70X15X2 PLY W STRP	31	30
U69	AM/FM RADIO	172	75
401	BLACK VINYL TRIM		00
900	TUXEDO BLACK		00

Factory Installed Options and Accessories

Subtotal

777 15

Destination Charge

500 00

Total Amount

\$

5597 15

In no way should this document be considered authentic or original documentation for any vehicle. **Duntov 000022**
 Manufacturer's options are original published retail prices at the time of manufacture.

Exhibit "A"

Cause No. 8466

OMer J. Hanna

IN THE COUNTY COURT

VS.

OF

TEXAS DEPARTMENT OF TRANSPORTATION

BROWN COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

Comes now, O.J. Hanna (Plaintiff), filing this original petition requesting the Court order the Defendant to Issue a Vehicle Identification Number (VIN) and Certificate of Title to the Plaintiff on a vehicle 1968 CORVETTE, VIN#: 1946 785 422 741 and for cause of action would show:

1. Plaintiff is an individual residing in Brown County, Texas.
2. The Defendant is a public agency and may be served with informal process by serving their representative, **Jennifer Soldano, Texas Department of Motor Vehicles, Attn: Legal Department, 4000 Jackson Avenue, Austin Texas 78731.**
3. This action involves the refusal of the Department to Issue a Certificate of Title for a motor vehicle one (1) 1968 CORVETTE, VIN# 1946 785 422 741 lawfully purchased by the Plaintiff.

Supporting documentation is attached to this Petition.

It is further ORDERED, ADJUDGED, and DECREED that all cost of Court are to be borne by the party incurring same and that all relief prayed for by any party but not herein expressly given is denied.

SIGNED AND ENTERED this the 21 day of MAY, 2012.

J. Hanna

FILED FOR RECORD

TIME: 10:05 AM

MAY 21 2012

DEPUTY Beinel
BROWN COUNTY CLERK



True and correct
copy of original
filed in the Brown
County Clerk's Office
pg. 2 of 77
Duntov 000023

Exhibit "B"

No. 8466

IN RE:

IN THE COUNTY COURT

1968 CORVETTE

OF

VIN# 1946785422741

BROWN COUNTY, TEXAS

CORRECTED ORDER

On this the 29th day of June, 2012, appeared Omer J. Hanna, Plaintiff, in the above entitled and number cause, and announced ready for trial. It appearing to the Court that Notice has properly been served, and an answer having been filed by the Texas Department of Motor Vehicles and no answers or responses having been filed by any other person, and the Court having heard the testimony and evidence and argument of the Plaintiff, is of the opinion that:

Title to the 1968 Chevrolet Corvette, including the vehicle frame with the VIN# 1946785422741, is vested in Omer J. Hanna;

The vehicle identification number has been removed from the body of the 1968 Chevrolet Corvette (the vehicle that is the subject of this Order);

Good cause exists to assign the VIN# 1946785422741 (of the 1968 Chevrolet Corvette frame) to the 1968 Chevrolet Corvette.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

The title to the 1968 Chevrolet Corvette including the 1968 Chevrolet Corvette frame, VIN# 1946785422741, is truly and properly vested in the Plaintiff, Omer J. Hanna;

And the Court directs The Texas Department of Motor Vehicles to issue a title to said 1968 Chevrolet Corvette to Omer J. Hanna, and to reassign as the VIN for said vehicle the existing VIN 1946785422741 (currently on the frame of said vehicle).

True and correct
copy of original
filed in the Brown
County Clerks Office

FILED FOR RECORD
TIME: 3:35 PM

JUN 29 2012

DEPUTY Bernal
BROWN COUNTY CLERK

Duntov 000024

Exhibit "C"

Costs of Court are assessed against the parties incurring same. All relief not expressly granted herein is denied.

This Order is made and entered on this the 29th day of June, 2012, effective the 5th day of June, 2012 for the purpose of correcting scrivener's errors in the original Order and for the further purpose of including the necessary findings and directives for the issuance of a vehicle identification number to the subject vehicle.

E Ray Wood
JUDGE PRESIDING

FILED FOR RECORD
TIME: 3:35pm

JUN 29 2012

DEPUTY Bernal
BROWN COUNTY CLERK

**CERTIFIED TRUE AND CORRECT COPY CERTIFICATE
STATE OF TEXAS
COUNTY OF BROWN**

The above and foregoing is a full, true and correct photographic copy of the original record now in my lawful custody and possession, as the same is filed/recorded in the public records of my office.


PG 2 of 2

I hereby certified on 21st Feb. 2019



SHARON FERGUSON, COUNTY CLERK
BROWN COUNTY, TEXAS

BY Yolanda Bernal DEPUTY
Blanda Bernal
Duntov 000025

TEXAS CERTIFICATE OF TITLE					
		TEXAS DEPARTMENT OF MOTOR VEHICLES			
VEHICLE IDENTIFICATION NUMBER 1946785422741		YEAR MODEL 1968	MAKE OF VEHICLE CHEV	BODY STYLE 2D	
TITLE/DOCUMENT NUMBER 02500042045132119			DATE TITLE ISSUED 02/19/2015		
MODEL	MFG. CAPACITY IN TONS	WEIGHT	LICENSE NUMBER		
		2800	TONLY02		
PREVIOUS OWNER MARLIN R SCOTT <small>OWNER</small>		ODOMETER READING EXEMPT			
OWNER OMER J HANNA 198 STARR LANE BROWNWOOD, TX 76801		REMARK(S)			
<p>X _____</p> <p><small>SIGNATURE OF OWNER OR AGENT MUST BE IN INK</small></p>					
<p><small>UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF STATE LAW TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF TITLE OR OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF TITLE.</small></p>					
DATE OF LIEN	1ST LIENHOLDER		1ST LIEN RELEASED		
01/21/2015	TEXAS BANK PO BOX 1429 400 FISK AVENUE BROWNWOOD, TX 76804-1429		5-9-18 <small>DATE</small>		
DATE OF LIEN	2ND LIENHOLDER		2ND LIEN RELEASED		
			DATE		
DATE OF LIEN	3RD LIENHOLDER		3RD LIEN RELEASED		
			DATE		
<p>IT IS HEREBY CERTIFIED THAT THE PERSON HEREIN NAMED IS THE OWNER OF THE VEHICLE DESCRIBED ABOVE WHICH IS SUBJECT TO THE ABOVE LIENS.</p>			<p>BY _____</p> <p><small>AUTHORIZED AGENT</small></p>		
<p>RIGHTS OF SURVIVORSHIP AGREEMENT</p> <p><small>WE, THE MARRIED PERSONS WHOSE SIGNATURES APPEAR HEREIN, HEREBY AGREE THAT THE OWNERSHIP OF THE VEHICLE DESCRIBED ON THIS CERTIFICATE OF TITLE SHALL FROM THIS DAY FORWARD BE HELD JOINTLY, AND IN THE EVENT OF DEATH OF ANY OF THE PERSONS NAMED IN THE AGREEMENT, THE OWNERSHIP OF THE VEHICLE SHALL VEST IN THE SURVIVOR(S).</small></p>			<p>SIGNATURE _____ DATE _____</p> <p>SIGNATURE _____ DATE _____</p> <p>SIGNATURE _____ DATE _____</p>		
<p>FORM 30-C REV. 04/2012</p>			<p>DO NOT ACCEPT TITLE SHOWING ERASURE, ALTERATION, OR MUTILATION.</p>		

Duntov 000026

Exhibit "D"